

11/09/05

AA 2859

Docket No.: 00467/100M163-US1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Stephen Russak et al.

Application No.: 10/722,590

Confirmation No.: 5682

Filed: November 25, 2003

Art Unit: 2859

For: AXILLARY THERMOMETER

Examiner: G. K. Verbitsky

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated July 8, 2005, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Drawing begins on page 7 of this paper.

Remarks/Arguments begin on page 8 of this paper.



Docket No. AMENDMENT TRANSMITTAL LETTER 00467/100M163-US1 Application No. Filing Date Examiner Art Unit 10/722,590-Conf. #5682 November 25, 2003 G. K. Verbitsky 2859 Applicant(s): Stephen Russak et al. Invention: AXILLARY THERMOMETER TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number After **Extra Claims** Previously Amendment Paid Present Rate **Total Claims** 21 19 Х Independent 3 3 = Х Claims Multiple Dependent Claims (check if applicable) Other fee (please specify): Extension for response within first month 120.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 120.00 x Large Entity **Small Entity** No additional fee is required for this amendment. Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. X A check in the amount of \$ 120.00 to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed. x | Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: November 7, 2005 Louis J. Del Juidice Attorney Reg. No.: 47,522 DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7769